

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ABBOTT LABORATORIES, and WISCONSIN) ALUMNI RESEARCH FOUNDATION)) Plaintiffs,)) v.)) TEVA PHARMACEUTICALS USA, INC., and) TEVA PHARMACEUTICAL INDUSTRIES) LTD.)) Defendant.))	Civil Action No. 08-CV-6659 Judge Kocoras Magistrate Judge Keys PUBLIC VERSION
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PLAINTIFFS' MOTION TO PLACE DOCUMENTS UNDER SEAL

Pursuant to Local Rules 5.8 and 26.2 and the April 3, 2009 Protective Order (Docket No. 37), Plaintiffs Abbott Laboratories and Wisconsin Alumni Research Foundation ("WARF"), respectfully request permission to file the following documents under seal:

1. Plaintiffs' Reply in Support of Motion to Compel Production of Documents and Witnesses (attached hereto as Exhibit A, to be filed on ECF upon entry of an Order granting this Motion); and
2. Exhibit H (Bates number WARF00008359) to Plaintiffs' Reply, which is a December 30, 1993 letter from Kenneth Johnson, licensing associate at WARF, to Dr. Doron Shinar, project manager at Teva Pharmaceuticals, regarding a confidentiality agreement (attached hereto as Exhibit B, to be filed on ECF upon entry of an Order granting this Motion).

These documents contain information designated by the parties as confidential, pursuant to the Stipulated Protective Order for this case. Moreover, this information would prejudice the

parties if disclosed to third parties and the public. *See Baxter Int'l v. Abbott Labs.*, 297 F.3d 544, 545 (7th Cir. 2002). Specifically, the documents reflect a confidential business negotiation, which, if revealed, could cause harm to WARF in future negotiations.

Therefore, Plaintiffs respectfully request that the foregoing documents be placed under seal.

Dated: January 26, 2010

Respectfully submitted,

By: /s/ Claudia M. Rustad

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CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2010, a copy of the foregoing Plaintiffs' Notice of Motion and accompanying Plaintiffs' Motion to Place Documents Under Seal was filed electronically. Notice of this filing will be sent to the following by operation of the Court's electronic filing system.

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